



# Acts and Laws,

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay in New-England*: Begun and Held at *Boston* upon Wednesday the twenty-sixth Day of May, 1756.

## CHAP. I.

### An Act in Addition to the Act for Enquiring into the Rateable Estates of the Province.

WHEREAS in and by an Act made in the present Year of his Majesty's Reign, Intituled An Act for Enquiring into the Rateable Estates of the Province, the Assessors of each Town and District in this Province that were chosen in the Year One Thousand seven Hundred and fifty-five, were required on Oath to transmit into the Secretary's Office a Copy of the List and Valuation of Estates, by the last Wednesday of May One Thousand seven Hundred and fifty-six, on Penalty of five Pounds; but by Reason of the Shortness of the Time between the making and publishing said Act, and the said last Wednesday of May, the Assessors in divers Towns and Districts of the Province did not (as this Court have been well informed) obtain the Knowledge of said Act, and have not been able to comply with the Order and Duty enjoyned, and yet are exposed to the Penalty therein mentioned:

Be it therefore enacted by the Lieutenant Governor, Council and House of Representatives, That such Assessors of the several Towns and Districts as have failed of returning a List by the said last Wednesday in May as by said Act required, shall not be subjected to the Penalty of five Pounds, or any Part thereof; any Thing in the said Act to the contrary notwithstanding.

And be it further enacted, That the Assessors of the several Towns and Districts in this Province that were chosen in the Year One Thousand seven Hundred and fifty-five, shall by the last Wednesday of December One Thousand seven Hundred and fifty-six, on Oath transmit into the Secretary's Office a true and perfect Copy of the List and Valuation of Estates, by which they made the Province Taxes in their particular Towns and Districts for the

Further Time allowed.

## Supply of the Treasury.

Year One Thousand seven Hundred and fifty-five ; and also a true Copy of the Rate Bill of the Province Tax in the Year One Thousand seven Hundred and fifty-five ; on Penalty that each Assessor neglecting his Duty therein, shall forfeit and pay the Sum of *five Pounds* ; such Penalty to be recovered and applied as by said Act was provided.

## C H A P. II.

An Act for supplying the Treasury with the Sum of *Fifty eight Thousand Pounds*, to be thence issued for discharging the public Debts, and drawing the same into the Treasury again.

## Preamble.

WHEREAS no Provision is made by this Court to discharge the Debts of the Government for the ensuing Year ; and whereas the Provision already made to defray the Expence of the Crown-Point Expedition, will be insufficient :

Treasurer im-  
powered to  
borrow £. 58,  
000.

Be it enacted by the Lieutenant Governor, Council and House of Representatives, That the Treasurer of the Province be and he hereby is impowered and directed to borrow from such Person or Persons as shall be willing to lend the same, a Sum not exceeding *Fifty eight Thousand Pounds* in mill'd Dollars at *six Shillings* each, or in other Silver at *six Shillings and eight Pence* per Ounce ; and the Sum so borrowed shall be applied in Manner as in this Act is hereafter directed ; and for *Twenty nine Thousand Pounds* of the Sum so borrowed, the Treasurer shall give his Receipt in the Form following :

Form of  
Treasurer's  
Receipt, for  
1758.

Province of the *Massachusetts-Bay*,  
The Day of 1758 :  
Received of the Sum of for the Use and Service  
of the Province of the *Massachusetts-Bay* ; and in Behalf of said Province,  
I do hereby promise and oblige my Self and Successors in the Office of Treasurer, to Re-pay the said or Order, the first Day of June 1758,  
the aforesaid Sum of in Coined Silver at *Six Shillings and eight Pence* per Ounce, or Spanish mill'd Dollars at *Six Shillings* each, with Interest annually at the Rate of Six per Cent. per Annum.

Witness my Hand,

H. G. Treasurer.

Form of  
Treasurer's  
Receipt, for  
1759.

And for the remaining Sum of *Twenty nine Thousand Pounds*, the Treasurer shall give his Receipt in the Form following :

£. 20,000 to  
be applied for  
the Expedition  
against Crown-  
Point.

Province of the *Massachusetts-Bay*,  
The Day of 1759 :  
Received of the Sum of for the Use and Service  
of the Province of the *Massachusetts-Bay* ; and in Behalf of said Province,  
I do hereby promise and oblige my Self and Successors in the Office of Treasurer, to Re-pay the said or Order, the first Day of June 1759,  
the aforesaid Sum of in Coined Silver at *Six Shillings and eight Pence* per Ounce, or Spanish mill'd Dollars at *Six Shillings* each, with Interest annually at the Rate of Six per Cent. per Annum.

Witness my Hand,

Treasurer.

And no Receipt shall be given for less than *six Pounds*.  
And be it further enacted, That the aforesaid Sum of *Fifty eight Thousand Pounds* when received into the Treasury, shall be issued out in Manner and for the Purposes following ; this is to say, *Twenty Thousand Pounds*, Part of the Sum

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## Supply of the Treasury.

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Sum of *Fifty eight Thousand Pounds*, shall be applied for the Service of the Expedition against *Crown-Point*, to pay off the Soldiers, &c. And the further £. 14,000 for Sum of *Fourteen Thousand Pounds*, shall be applied for the Service of the several Forts and Garrisons within this Province, purfuant to such Grants and Orders as are or shall be made by this Court for these Purposes : And the further Sum of *Nine Thousand Pounds*, Part of the aforesaid Sum of *Fifty eight Thousand Pounds*, shall be applied for purchasing Provisions and the Commissary's Disbursements for the Service of the several Forts and Garrisons within this Province : And the further Sum of *Eleven Thousand five Hundred Pounds*, Part of the aforesaid Sum of *Fifty eight Thousand Pounds*, shall be applied for the Payment of such Premiums and Grants that now are or may hereafter be made by this Court : And the further Sum of *Three Hundred and fifty Pounds*, Part of the aforesaid Sum of *Fifty eight Thousand Pounds*, £. 350 for shall be applied for the Discharge of other Debts owing from this Province to Persons that have served or shall serve them by Order of this Court, in such Matters and Things where there is no Establishment, nor any certain &c. Sum assigned for that Purpose, and for Paper, Writing and Printing, for this Court. And the Sum of *Three Thousand Pounds*, Part of the aforesaid Sum of *Fifty eight Thousand Pounds*, shall be applied for the Payment of his Majesty's Council and House of Representatives, serving in the Great and General Court during the several Sessions for the present Year. £. 3000 for Pay of Coun- cillors & Re- presentatives Attendance.

And whereas there are sometimes Contingent and Unforeseen Charges that demand prompt Pay :

Be it further enacted, That the Sum of *One Hundred and fifty Pounds*, £. 150 for being the remaining Part of the aforesaid Sum of *Fifty eight Thousand Pounds*, be applied to pay such Contingent Charges, and for no other Purpose whatever. contingent Charges,

And in order to draw the Money into the Treasury again, and enable the Treasurer effectually to discharge the Receipts and Obligations (with the Interest that may be due thereon) by him given in Pursuance of this Act :

Be it enacted, That there be and hereby is granted to his most excellent Majesty, a Tax of *Sixty six Thousand Pounds*, to be levied on Polls and Estates both Real and Personal within this Province, in Manner following ; that is to say, *Thirty two Thousand Pounds*, Part thereof according to such Rules and in such Proportions on the several Towns and Districts within the Province, as shall be agreed on and ordered by the General Court or Assembly at their Session in *May* One Thousand seven Hundred and fifty seven, and to be paid into the public Treasury on or before the thirty-first Day of *March* then next after : And the further Sum of *Thirty four Thousand Pounds*, according to such Rules and in such Proportions on the several Towns and Districts aforesaid, as shall be agreed on and ordered by the General Court at their Session in *May* One Thousand seven Hundred and fifty-eight, and to be paid into the Treasury on or before the thirty-first of *March* then next after.

And be it further enacted, That if the General Court at their Session in *May* One Thousand seven Hundred and fifty-seven, and in *May* One Thousand seven Hundred and fifty-eight, some Time before the twentieth Day of *June* in each Year, shall not agree and conclude upon an Act apportioning the Sums which by this Act are engaged to be in each of said Years apportioned, assessed and levied, that then and in such Case each Town and District within this Province, shall pay by a Tax to be levied on the Polls and Estates both Real and Personal within their Limits, the same Proportion of the said Sums as the said Towns and Districts were taxed by the General Court in the Tax-Act then last preceding : And the Province Treasurer is hereby fully empowered and

Rule for Apportioning the Tax in Case no Tax Act shall be agreed on.

## Sick and Lame Persons.

and directed sometime in the Month of June in each of the Years aforesaid, to issue and send forth his Warrants directed to the Select-Men or Assessors of each Town and District within this Province, requiring them to assess the Polls and Estates both Real and Personal within their several Towns and Districts for their respective Parts and Proportions of the Sums before directed and engaged to be assessed, to be paid into the Treasury at the aforesaid Time; and the Assessors as also Persons assessed, shall observe, be governed by, and subject to all such Rules and Directions as shall have been given in the last preceding Tax-Act.

Further Fund.

*And as a further Fund to enable the Treasurer to discharge said Receipts and Obligations by him given in Pursuance of this Act:*

**Be it enacted**, That the Duties of Excise upon spirituous Liquors for the Year Seventeen Hundred and fifty-six, shall be applied for the Payment and Discharge of the Principal and Interest that shall become due on said Notes, and to no other Purpose.

The Treasurer to conform to the Appropriations.

**And be it further enacted**, That the Treasurer is hereby directed and ordered to pay the Sum of *Fifty eight Thousand Pounds*, out of such Appropriations as shall be directed by Warrant and no other; and the Secretary to whom it belongs to keep the Muster-Rolls and Accompts of Charge, shall lay before the House of Representatives, when they direct, such Muster-Rolls and Accompts after Payment thereof.

Proviso.

**Provided always**, That the Remainder of the Sum which shall be brought into the Treasury by the Duties of Excise before mentioned, and the Tax of *Sixty six Thousand Pounds*, ordered by this Act to be assessed and levied over and above what shall be sufficient to discharge the Notes and Obligations aforesaid, shall be and remain as a Stock in the Treasury, to be applied as the General Court of this Province shall hereafter Order, and to no other Purpose whatsoever.

## C H A P. III.

## An Act to prevent Charges arising by Sick, Lame or otherwise infirm Persons, (not belonging to this Province) being landed and left within the same.

Commanders and Masters of Ships &amp;c. not to land Sick or Lame Persons without Permission.

Penalty.

**B** **It is enacted by the Lieutenant Governor, Council and House of Representatives**, That from and after the first Day of July next, no Master or Commander of any Ship or Vessel whatsoever coming into, abiding in or going forth of any Port, Harbour or Place within this Province, shall cause or suffer to be landed or put on Shoal within the same, any Sick or otherwise impotent and infirm Person (not being an Inhabitant of this Province) either belonging to or brought in such Ship or Vessel, unless the Consent of the Select-Men of the Town where such sick or infirm Person shall be landed be first had and obtained therefor, the same to be signified in Writing under their Hands; nor unless Security be first given (if demanded) to the Satisfaction of such Select Men, for indemnifying and keeping such Town free from any Charge that may arise for the Support or Relief of the Person so landed or left within the Province; on Pain of forfeiting to the Use of the Poor of such Town the Sum of *One Hundred Pounds*, for every sick or infirm Person so landed, to be recovered by the Treasurer of such Town, either by Action, Bill, Plaintiff or Information, in any of his Majesty's Courts of Record, wherein no Esseign, Protection or Wager of Law shall be allowed.

## Inlistment for Castle-William.

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### C H A P. IV.

An Act for inlisting the Inhabitants of *Dorchester, Weymouth* and *Charlestown*, into his Majesty's Service for the Defence of *Castle-William*, as Occasion shall require.

WHEREAS the Safety of this Province in a great Measure depends Preamble. on the Strength of his Majesty's Castle-William, and it is necessary that a great Number of Men, skilful in the Management of the great Artillery, should be always ready to attend there:

Be it enacted by the Lieutenant Governor, Council and House of Representatives, That all the Inhabitants of the Town of *Dorchester*, who are by Law subject to common Musters and Military Exercises, not exceeding sixty Years of Age, and such of the Inhabitants of the Towns of *Weymouth* and *Charlestown*, as are willing to be inlisted (not exceeding one Hundred and twenty in the whole) from the two last Towns, *viz.* sixty from *Charlestown*, and sixty from *Weymouth*, shall be inlisted under the present Captains, or such other Officers as the Captain-General or Commander in Chief shall Commissionate; Who shall repair to *Castle William*, six Days in each Year, *viz.* three Days successively in the Month of *July* next, and three Days successively in the Month of *September* next, and from thenceforward during the Continuance of this Act three Days successively in the Month of *May*, and three Days successively in the Month of *September* annually, and shall on the said Days be by the Gunner and Quarter-Gunners, exercised in the mounting, dismounting, levelling, traversing and firing the great Guns, and shall be obliged hereunto, and to the Observance of such Orders as shall be given them in this Exercise, under the like Pains and Penalties that Soldiers are under to obey their Officers in said Castle in Time of Service.

And be it further enacted, That if any of the Men inlisted as aforesaid, shall not duly attend at Time and Place for the Exercise of the great Artillery as aforesaid, being thereof notified in Person, or by leaving a Notification in Writing at the usual Place of his Abode, at least four Days before the Time he is to appear, for every such Day's neglect of Attendance, such Soldier shall pay to the Clerk of the Company for the Use of the Company, ten Shillings.

And for the Encouragement of the said Men that shall be inlisted and exercised Encouragement to in-list. as aforesaid:

Be it further enacted, That every Person so inlisted shall be excused from all other Military Service, and from all Impresses into other Service that other Soldiers by Law are liable to.

And be it further enacted, That upon any Alarm at *Castle-William*, every Man able of Body, as well those inlisted by Virtue of this Act, as also all others within the Town of *Dorchester*, except such Persons as are by Law obliged to attend upon the Governor for the Time being, shall forthwith appear compleat with their Arms and Ammunition according to Law at the said *Castle-William*, there to attend and observe such Commands as shall be given for his Majesty's Service; and that on the Penalty of paying five Pounds to the Clerk of the said Company for the Use of the Province; the aforesaid Fines to be recovered before any Justice of the Peace or Court proper to hear and try the same.

This Act to be Force from the tenth Day of *June* Instant, to the tenth Day of *June* One Thousand seven Hundred and fifty-nine, and no longer.

## C H A P. V.

An Act for continuing the Act for establishing and regulating the Fees of the several Officers within this Province.

Fee Bill con-  
tinued.

**B**ECOME it enacted by the Lieutenant Gouvernor, Council and House of Representatives, That the Act made and pass'd in the twenty-sixth Year of his present Majesty's Reign Intitled, *An Act for establishing and regulating Fees of the several Officers within this Province*; and every Clause thereof, and every Matter and Thing therein contained; be and hereby is and shall be continued to the tenth Day of December next, and from thence to the End of the then next Session of the General Court, and no longer.

## C H A P. VI.

An Act for reviving and continuing sundry Laws that are expired and near expiring.

Preamble.

**W**HEREAS the several Acts herein after mentioned, which are now expired or near expiring, have been found useful and beneficial, viz. One Act made in the fourteenth Year of his present Majesty's Reign, Intitled;

Sundry Laws  
expired or  
near expiring  
revived and  
continued.

An Act to prevent Damage being done to the Harbour of Cape-Cod, by Cattle and Horse-Kind feeding on Province-Town Land.

Another Act made in the sixteenth Year of said Reign, Intitled,

An Act in further Addition to and Explanation of an Act Intitled, *An Act for regulating Townships, Choice of Town Officers, &c.*

Three other Acts made in the seventeenth Year of said Reign, viz. One Intitled,

An Act for preventing the Destruction of White-Pine Trees within this Province, and for encouraging the Preservation of them for the Use of the Royal Navy.

One other Intitled,

An Act in Addition to and for rendering more effectual an Act made in the fourteenth Year of his present Majesty's Reign, Intitled, *An Act to prevent Damage being done to the Harbour of Cape-Cod, by Cattle and Horse-Kind feeding on Province-Town Land.*

And the other Act Intitled An Act to regulate the Expence of private Bridges.

An Act made in the eighteenth Year of said Reign Intitled An Act in Addition to the Act for preventing Damage to the Harbour of Cape-Cod by Cattle and Horse-Kind feeding on Province-Town Land.

An Act made in the twenty-second Year of said Reign, Intitled An Act for the more easy Partition of Lands.

And also two Acts made in the twenty fourth Year of said Reign, one Intitled An Act providing for the Support of Ministers in New Plantations. And the other Act Intitled An Act in Addition to an Act for regulating Fences, Cattle &c.

## Explanation of Tax Act.

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Be it therefore enacted by the Lieutenant Governour, Council and House of Representatives, That such of the before mentioned Acts as are expired (with all and every Article, Clause, Matter and Thing therein respectively contained) be and hereby are revived, and shall be in Force from the tenth Day of June One Thousand seven Hundred and fifty six, to the tenth Day of June One Thousand seven Hundred and sixty one: And such of said Acts as are near expiring, are hereby continued, and shall be in Force till the said tenth Day of June, One Thousand seven Hundred and sixty one, and no longer.

Their Continuation for five Years.

### C H A P. VII.

An Act in Addition to and Explanation of an Act for granting a Tax, made and passed in the present Session of this Court.

WHEREAS some Doubt is made, whether such Persons as have removed out of the Town of Boston before the passing the last Tax Act, and have returned or shall return within one Year from the Time of their Removal respectively, are or shall be obliged to pay Taxes in such Years in Boston:

Preamble:

Be it enacted and declared by the Lieutenant Governour, Council and House of Representatives, That it was in said Tax Act intended, and shall be so understood, construed and take Effect, that all Persons who have removed or shall remove out of the Town of Boston, and within one Year have returned or shall return, and have been taxed or shall be taxed respectively for each or either of said Years in Boston, shall be liable and obliged to pay such Tax or Taxes, subducting only as in said Act is provided.

Persons returning to Boston after Removal liable to be taxed.

[ The seven foregoing Acts were Published June 12. 1756. ]



### B O S T O N:

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